



HEARING ON SPECIAL EXCEPTIONS  
TO THE COMPREHENSIVE CITY ZONING CODE

**ZONING HEARING EXAMINER'S AGENDA**  
**AMENDED AUG 2, 2006**  
**(Amendments marked with asterisk)**

TUESDAY, August 15, 2006  
9:00 A.M.

PLAZA DEL SOL HEARING ROOM  
BASEMENT LEVEL  
600 SECOND STREET NW  
(ON THE NORTHEAST CORNER OF 2<sup>ND</sup> STREET AND ROMA NW)

**STAFF**

*Roberto Albertorio, Esq., Zoning Hearing Examiner*  
*Tom Rojas, Deputy Zoning Hearing Examiner*  
*Ray Rivera, Administrative Assistant*

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**For Inquiries Regarding This Agenda, Please Call Ray Rivera at (505) 924-3918.**

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**PLEASE ADDRESS ALL CORRESPONDENCE TO:**

***Roberto Albertorio, Esq.***  
***COA Planning Department, ZHE Division, 3<sup>rd</sup> Floor***  
***600 Second Street NW***  
***Albuquerque, NM 87102***

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**NOTICE TO PEOPLE WITH DISABILITIES:** *If you have a disability and you require special assistance to participate in this hearing, please contact Ray Rivera at (505) 924-3918.*

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**OLD BUSINESS:**

1. **06ZHE – 00577\***    **1004860**    **MARK A. MARTINEZ** request(s) a special exception to Section 14. 16. 2. 6. (E). (1).: a VARIANCE of 20 feet to the 20 foot front yard setback area requirement **FOR AN EXISTING CARPORT** on all or a portion of Lot(s) 11, Block(s) 5, Central Park Addition, zoned R-1 and located at **840 ALVARADO DR SE (L-18)**
2. **06ZHE – 00706\***    **1004860**    **MARK A. MARTINEZ** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (a).: a VARIANCE of 5 feet to the 5 foot side yard setback area requirement **FOR AN EXISTING CARPORT** on all or a portion of Lot(s) 11, Block(s) 5, Central Park Addition, zoned R-1 and located at **840 ALVARADO DR SE (L-18)**

3. **06ZHE - 00648**      **1003977**      **SAM NUZZO** request(s) a special exception to Section 14. 16. 2. 6. (B). (14).: a VARIANCE of 2' to the 3' wall height allowance for a proposed 5' high wall in the front yard setback area on all or a portion of Lot(s) 2, Block(s) 2, Anayas & Duranes Addition, zoned R-1 and located at **2104 SAN VENITO PL NW (H-13)**
4. **06ZHE - 00660**      **1004888**      **GARY & MYRA O'CANNA** request(s) a special exception to Section 14. 16. 2. 20. (B). (e).: a **CONDITIONAL USE FOR A PROPOSED CONTRACTOR'S EQUIPMENT STORAGE YARD** on all or a portion of Lot(s) 52, Alameda Business Park, zoned SU-2 and located at **3415 VISTA ALAMEDA NE (C-16)**
5. **06ZHE - 00678**      **1004897**      **JOHN HINDE** request(s) a special exception to Section 14. 16. 2. 6. (E). : a VARIANCE of 3' to the 5' side yard setback area requirement **FOR AN EXISTING SHADE STRUCTURE IN THE REAR YARD SETBACK AREA** on all or a portion of Lot(s) 30, Ventura Village Addition, zoned SU-2 and located at **9027 VILLAGE AVE NE (C-20)**
6. **06ZHE - 00579\***      **1004861**      **JOE TOWNER** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a).: a VARIANCE of 5 feet to the 3 foot wall height allowance **FOR AN EXISTING 8 FT HIGH FENCE IN THE FRONT YARD SETBACK AREA** on all or a portion of Lot(s) 20, Block(s) 11, Pueblo Alto Addition, zoned R-1 and located at **5005 MOUNTAIN RD NE (J-17)**
7. **06ZHE - 00580\***      **1004861**      **JOE TOWNER** request(s) a special exception to Section 14. 16. 3. 19. (A). (2). (a).: a VARIANCE of 2 feet to the 5 foot side setback area requirement **FOR AN EXISTING 8 FT HIGH FENCE IN THE SIDE YARD SETBACK AREA** on all or a portion of Lot(s) 20, Block(s) 11, Pueblo Alto Addition, zoned R-1 and located at **5005 MOUNTAIN RD NE (J-17)**
8. **06ZHE - 00732\***      **1004914**      **JOHN THOMAS** request(s) a special exception to Section 14. 16. 2. 6. (B). (1).: a **CONDITIONAL USE FOR AN EXISTING ACCESSORY LIVING QUARTERS IN THE REAR YARD SETBACK AREA** on all or a portion of Lot(s) 11, Block(s) A, Tract(s) 27,56-58, Cacy Subdivision, zoned R-1 and located at **5107 PHEASANT AVE NW (G-11)**
9. **06ZHE - 00841\***      **1004960**      **MARIO GARDUNO** request(s) a special exception to Section 14. 16. 2. 6. (B). (3).: a **CONDITIONAL USE FOR A PROPOSED GARAGE IN THE REAR YARD SETBACK AREA** on all or a portion of Lot(s) 12, Block(s) 29, Mesa Village Addition, zoned R-1 and located at **1039 WADE ST NE (J-20)**
10. **06ZHE - 00842\***      **1004960**      **MARIO GARDUNO** request(s) a special exception to Section 14.16.2.6.(E).3.b.: a VARIANCE of 10 feet to the required 10 foot corner yard setback **FOR A PROPOSED GARAGE IN THE REAR YARD SETBACK AREA** on all or a portion of Lot(s) 12, Block(s) 29, Mesa Village Addition, zoned R-1 and located at **1039 WADE ST NE (J-20)**

## NEW BUSINESS:

11. **06ZHE - 00894**      **1004975**      **JUSTO ORDONEZ** request(s) a special exception to Section 14. 16. 3. 19. (A). (2). (a).: a VARIANCE of 3'3" to the 3 foot wall height allowance **FOR A PROPOSED 6'3" WROUGHT IRON FENCE IN THE FRONT AND CORNER YARD SETBACK AREA** on all or a portion of Lot(s) 33, Block(s) 76, Westgate Heights Addition, zoned R-1 and located at **8601 LYNETTE CT SW (M-9)**

12. **06ZHE - 00895**      **1004975**      **JUSTO ORDONEZ** request(s) a special exception to Section 14. 16. 3. 19. (A). (2). (a).: a VARIANCE of 3 feet to the 6 foot wall height allowance **FOR A PROPOSED 9' WROUGHT IRON FENCE IN THE REAR YARD SETBACK AREA** on all or a portion of Lot(s) 33, Block(s) 76, Westgate Heights Addition, zoned R-1 and located at **8601 LYNETTE CT SW (M-9)**
13. **06ZHE - 00909**      **1004982**      **FRANCISCO SIMBANA** request(s) a special exception to Section 14. 16. 3. 3. (A). (4). (a). 1.: a VARIANCE of 4 feet to the 3 foot wall height allowance **FOR A PROPOSED 7' WALL IN THE FRONT YARD** on all or a portion of Lot(s) 7, Block(s) 4, Broadmoor Addition, zoned R-1 and located at **320 CHULA VISTA PL NE (K-17)**
14. **06ZHE - 00999**      **1005020**      **GLENN HARPER** request(s) a special exception to Section 14. 16. 2. 6. (E) (4). (a).: a VARIANCE of 2' 10" to the 5 foot side yard setback area requirement **FOR AN PROPOSED ADDITION TO THE DWELLING** on all or a portion of Lot(s) 8, Block(s) 54, University Heights Addition, zoned R-1 and located at **316 AMHERST DR SE (K-16)**
15. **06ZHE - 00910**      **1004983**      **SNOW MOORE WATSON** request(s) a special exception to University Neighborhoods Sector Plan DR 5. b.: a VARIANCE of 4 feet to the 5 foot side yard setback area requirement **FOR A PROPOSED DUPLEX IN THE REAR YARD SETBACK AREA** on all or a portion of Lot(s) 10, Block(s) 16, University Heights Addition, zoned SU-2 and located at **120 STANFORD SE (K-16)**
16. **06ZHE - 00946**      **1004993**      **LAURA ONORATO & DEMIAN GINTHER** request(s) a special exception to Section 14. 16. 2. 6. (E). (4). (a).: a VARIANCE of 3 feet to the 5 foot side yard setback area requirement **FOR A PROPOSED ADDITION TO THE DWELLING** on all or a portion of Lot(s) 22, Block(s) 30, University Heights Addition, zoned R-1 and located at **305 DARTMOUTH SE (K-16)**
17. **06ZHE - 00971**      **1005002**      **JOE & MARY ARANDA** request(s) a special exception to Section 14. 16. 2. 6. (E). (1).: a VARIANCE of 8' 3" to the 20 foot front yard setback area requirement **FOR PROPOSED ADDITION TO THE DWELLING** on all or a portion of Lot(s) 4, Block(s) 12, Skyview West Addition, Unit 2, zoned R-1 and located at **7312 GROVER CT SW (L-10)**
18. **06ZHE - 00976**      **1005007**      **JIM CLARK** request(s) a special exception to Section 14. 16. 2. 9. (E). (4).: a VARIANCE of 8 feet to the 15 foot rear yard setback area requirement **FOR A PROPOSED COVERED PORCH WITH A DECK** on all or a portion of Lot(s) 9-P1, Block(s) 2, Carmel Subdivision, zoned R-D and located at **6931 CARMELITO LOOP NE (C-18)**
19. **06ZHE - 00980**      **1005011**      **SAWMILL TOWNHOMES LLC** request(s) a special exception to Sawmill Mixed Industrial A.3.: a VARIANCE of 25% to the 50% floor area of the residence / work space building in the S-MI zone **FOR PROPOSED NEW TOWNHOMES** on all or a portion of Tract(s) 2, Lands of McClain, and Tract(s) A-3, Lands of William Andrew McCord, zoned SU-2, and located at **2000 ZEARING AVE NW (H-13)**
20. **06ZHE - 00981**      **1005011**      **SAWMILL TOWNHOMES, LLC** request(s) a special exception to Sawmill Mixed Industrial Zone B. 1.: a VARIANCE variance of 10 feet to the 26 foot building height requirement in the S-MI zone **FOR PROPOSED NEW TOWNHOMES** on all or a portion of Tract(s) 2, Lands of McClain, and Tract(s) A-3, Lands of William Andrew McCord, zoned SU-2, and located at **2000 ZEARING AVE NW (H-13)**
21. **06ZHE - 00982**      **1005012**      **JAMES & JANET ANDERSON** request(s) a special exception to Section 14. 16. 2. 6. (B). (12).: a **CONDITIONAL USE FOR A PROPOSED COVERED PATIO IN THE REAR SETBACK AREA** on all or a portion of Lot(s) 23, Block(s) 7, Knolls of Paradise Hills Addition, Unit 2, zoned R-1 and located at **9805 BUCKEYE ST NW (B-13)**

22. **06ZHE - 00983**      **1005012**      **JAMES & JANET ANDERSON** request(s) a special exception to Section 14. 16. 3. 3. (B). (2). (e): a VARIANCE of 7' 8" to the 10 foot separation requirement between a dwelling and a accessory structure **FOR A PROPOSED COVERED PATIO IN THE REAR YARD SETBACK AREA** on all or a portion of Lot(s) 23, Block(s) 7, Knolls of Paradise Hills Addition, Unit 2, zoned R-1 and located at **9805 BUCKEYE ST NW (B-13)**
23. **06ZHE - 01015**      **1004974**      **SAN PEDRO EQUITIES LTD** request(s) a special exception to Section 14. 16. 2. 19. (C). 1.: a VARIANCE of 30 feet to the 45 degree angle planes on the north property line **FOR A PROPOSED 5-STORY BUILDING** on all or a portion of Lot(s) 1, Block(s) 24, Tract(s) A, North Albuquerque Acres, zoned SU-2/ IP and located at **9999 CARMEL NE (LOTS 1-3), 6301 HOLLY NE (LOT 30), 6221 HOLLY NE (LOT 31) & 6201 HOLLY NE (LOT 32) (C-18)**
24. **06ZHE - 01016**      **1004974**      **SAN PEDRO EQUITIES LTD** request(s) a special exception to Section 14. 16. 2. 19. (C). 1.: a VARIANCE of 64 feet to the 45 degree angle planes on the west property line **FOR A PROPOSED 5-STORY BUILDING** on all or a portion of Lot(s) 1-3 and 30-32, Block(s) 34, Tract(s) A, North Albuquerque Acres, zoned SU-2/ IP and located at **9999 CARMEL NE (LOTS 1-3), 6301 HOLLY NE (LOT 30), 6221 HOLLY NE (LOT 31) & 6201 HOLLY NE (LOT 32) (C-18)**
25. **06ZHE - 00923**      **1004987**      **WILLIAM LOCKYER** request(s) a special exception to Section 14. 16. 2. 6. (B). (3): a **CONDITIONAL USE FOR A PROPOSED CARPORT IN THE FRONT SETBACK AREA** on all or a portion of Lot(s) 15, Block(s) 1, San Gabriel Village Addition, Unit 2, zoned R-1 and located at **3853 PITT ST NE (G-21)**
26. **06ZHE - 00945**      **1004992**      **ERWIN J. STARUSTKA** request(s) a special exception to Section 14. 16. 2. 14. (E). (i): a **CONDITIONAL USE FOR A PROPOSED CARPORT IN THE FRONT SETBACK AREA** on all or a portion of Lot(s) 4, Block(s) J, Sunset West Addition, Unit 3, zoned R-D and located at **8704 SUNCREST AVE SW (L-9)**
27. **06ZHE - 00973**      **1005005**      **STEVEN STEENROD** request(s) a special exception to Section 14. 16. 2. 6. (B). (3): a **CONDITIONAL USE FOR A PROPOSED CARPORT IN THE FRONT SETBACK AREA** on all or a portion of Lot(s) 12, Block(s) 15, Monte Vista Addition, zoned R-1 and located at **202 GIRARD BLVD NE (K-16)**
28. **06ZHE - 00950**      **1004995**      **RUDY A. & NANCY J. KRALL** request(s) a special exception to Section 14. 16. 2. 6. (B). (12): a **CONDITIONAL USE FOR A PROPOSED SHADE STRUCTURE IN THE REAR YARD SETBACK AREA** on all or a portion of Lot(s) 25, Los Caballeros Estates Addition, zoned R-1 and located at **524 EUGENE CT SE (L-23)**
29. **06ZHE - 00972**      **1005004**      **ARMANDO ROMERO** request(s) a special exception to Section 14. 16. 2. 6. (B). (12): a **CONDITIONAL USE FOR A PROPOSED SHADE STRUCTURE IN THE REAR YARD SETBACK AREA**, on all or a portion of Lot(s) 15-A, Block(s) 86, Westgate Heights Addition, zoned R-1 and located at **1616 BRIAN AVE SW (M-9)**
30. **06ZHE - 00979**      **1005010**      **ERICA J. & LEON J. GARCIA** request(s) a special exception to Section 14. 16. 2. 8. (B). (1): a **CONDITIONAL USE FOR A PROPOSED SHADE STRUCTURE IN THE REAR YARD SETBACK AREA** on all or a portion of Lot(s) 33, Block(s) J, Mountain View Estates, Unit 2, zoned R-LT and located at **7304 SEVEN FALLS CT SW (M-10)**

\*\*\*\*\***LUNCH BREAK**\*\*\*\*\*

**HEARING WILL RESUME PROMPTLY**  
**AT 1:30 P.M. WITH ITEM #26**

**IF YOU ARE AGENDA ITEMS 26-40**

**PLEASE COME TO THE HEARING AT 1:30 P.M.**

31.   **06ZHE – 00828\***   **1004953**   **(OLD BUSINESS) JOHNNAH TORRES** request(s) a special exception to Section 14. 16. 2. 6. (B). (14).: a **CONDITIONAL USE** to allow for a wall over 3' in height in the front yard setback area (5' high wall) on all or a portion of Lot(s) 13, Block(s) 30, Ridgecrest Addition, zoned R-1 and located at **1814 ROSS PL SE (L-17)**
32.   **06ZHE - 00978**   **1005009**   **JENNIFER KILLIN** request(s) a special exception to Section 14. 16. 2. 6. (B). (14).: a **CONDITIONAL USE FOR A PROPOSED 4' 6" WALL IN THE FRONT YARD SETBACK AREA** on all or a portion of Lot(s) 3, Block(s) 4, Altura Addition, zoned R-1 and located at **1413 MORNINGSIDE DR NE (J-17)**
33.   **06ZHE - 00985**   **1005013**   **PEERLESS TIRE COMPANY** request(s) a special exception to Section 14. 16. 2. 17. (B). (12).: a **CONDITIONAL USE FOR OUTSIDE DISPLAY OF TIRES** on all or a portion of Lot(s) B, Hudson & Hudson Addition, zoned C-3 and located at **5310 SAN MATEO NE (F-18)**
34.   **06ZHE - 00986**   **1005013**   **PEERLESS TIRE COMPANY** request(s) a special exception to Section 14. 16. 2. 12. (B). (21).: a **CONDITIONAL USE FOR OUTDOOR SALE OF TIRES** on all or a portion of Lot(s) B, Hudson & Hudson Addition, zoned C-3 and located at **5310 SAN MATEO NE (F-18)**
35.   **06ZHE - 00987**   **1003326**   **JENNIFER ACHILLES** request(s) a special exception to Section 14. 16. 2. 6. (B). (1).: a **CONDITIONAL USE FOR A PROPOSED ACCESSORY LIVING QUARTERS** on all or a portion of Lot(s) 22, Block(s) 45, University Heights Addition, zoned R-1 and located at **405 TULANE DR SE (K-16)**
36.   **06ZHE - 00993**   **1005016**   **JAMES SELIGMAN** request(s) a special exception to Section 14. 16. 2. 15. (B). (4).: a **CONDITIONAL USE FOR PROPOSED 3-STORY TOWNHOMES** on all or a portion of Lot(s) 2 A 1, La Mirada Addition, zoned O-1 and located at **8120 LA MIRADA PL NE (G-19)**
37.   **06ZHE - 00994**   **1005017**   **VALERO ENERGY CORP** request(s) a special exception to Section 14. 16. 2. 17. (B). (16).: a **CONDITIONAL USE FOR SALE OF PACKAGE ALCOHOL WITHIN 500' OF A RESIDENCE** on all or a portion of Lot(s) A-1, El Cambio Plaza Addition, zoned SU-2/C-2 and located at **511 BRIDGE BLVD SW (L-14)**
38.   **05ZHE – 01878\***   **1004598**   **(OLD BUSINESS) YALE APARTMENTS, LLC** request(s) a special exception to Section 14. 16. 2. 17. (B). (6).: a **CONDITIONAL USE FOR AN APARTMENT COMPLEX** on all or a portion of Block(s) 72, Fairview Addition, zoned C-2 and located at **1208 YALE BLVD. SE (L-15)**

39. **06ZHE – 00691\***    **1004903**    **(OLD BUSINESS) WAL-MART STORES EAST, INC.** request(s) a special exception to Coors Corridor Sector Plan page 113.: a **VARIANCE** of 75 sf to the 75 sf free-standing sign area requirement for a proposed 150 sf sign, on all or a portion of Lot(s) 5, Tract(s) 5, West Bluff Center Subdivision, zoned SU-1 and located at **2550 COORS BLVD NW** (H-11)
40. **06ZHE – 00692\***    **1004903**    **(OLD BUSINESS) WAL-MART STORES EAST, INC.** request(s) a special exception to Section 14. 16. 2. 17. (A). (9). (d). 1.: a **VARIANCE** of 15' to the 26' free-standing sign height requirement for a proposed 41' high sign, on all or a portion of Lot(s) 5, Tract(s) 5, West Bluff Center Subdivision, zoned SU-1 and located at **2550 COORS BLVD NW** (H-11)
41. **06ZHE – 00693\***    **1004904**    **(OLD BUSINESS) WEST BLUFF CENTER, LLC** request(s) a special exception to Coors Corridor sector Plan page 113.: a **VARIANCE** of 27 sf to the 75 sf free-standing sign area requirement for a proposed 102 sf sign, on all or a portion of Lot(s) 4, Tract(s) 4, West Bluff Center Subdivision, zoned SU-1 and located at **2560 COORS BLVD NW** (H-11)
42. **06ZHE – 00694\***    **1004904**    **(OLD BUSINESS) WEST BLUFF CENTER, LLC** request(s) a special exception to Section 14. 16. 2. 17. (A). (9). (d). 1.: a **VARIANCE** of 19' to the 26' free-standing sign height requirement for a proposed 45' high sign, on all or a portion of Lot(s) 4, Tract(s) 4, West Bluff Center Subdivision, zoned SU-1 and located at **2560 COORS BLVD NW** (H-11)
43. **06ZHE – 00695\***    **1004904**    **(OLD BUSINESS) WEST BLUFF CENTER, LLC** request(s) a special exception to Coors Corridor Sector Plan page 13.: a **VARIANCE** of 75 sf to the 75 sf free-standing sign area requirement for a proposed 150 sq sign, on all or a portion of Lot(s) 4, Tract(s) 10, West Bluff Center Subdivision, zoned SU-1 and located at **2560 COORS BLVD NW** (H-11)
44. **06ZHE – 00696\***    **1004904**    **(OLD BUSINESS) WEST BLUFF CENTER, LLC** request(s) a special exception to Section 14. 16. 2. 17. (A). (9). (d). 1.: a **VARIANCE** of 15' to the 26' free-standing sign height requirement for a proposed 41' high sign, on all or a portion of Lot(s) 4, Tract(s) 10, West Bluff Center Subdivision, zoned SU-1 and located at **2560 COORS BLVD NW** (H-11)
45. **06ZHE - 00996**    **1005019**    **JASON DASKALOS** request(s) a special exception to Section 14. 16. 2. 6. (B), (13).: a **CONDITIONAL USE FOR A PROPOSED TEMPORARY EQUIPMENT STORAGE YARD** on all or a portion of Lot(s) 15, Block(s) 6, Monte Vista Addition, zoned R-1 and located at **117 TULANE DR NE** (K-16)
46. **06ZHE – 00357\***    **1004765**    **(REMAND) JASON DASKALOS** request(s) a special exception to the Nob Hill Sector Plan, page AH 62, CCR, para F.: a **CONDITIONAL USE** to **REDUCE THE NUMBER OF REQUIRED PARKING SPACES FROM 183 TO 144** on all or a portion of Lot(s) 1, 16, & 17-28, Montevista Addition, zoned CCR, and located at **3339 CENTRAL AVE NE** (K-16)